



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,199	09/10/2003	Stephen M. Allen	BB1157 US CNT	5569

26691 7590 03/19/2010

POTTER ANDERSON & CORROON LLP  
ATTN: JANET E. REED, PH.D.  
P.O. BOX 951  
WILMINGTON, DE 19899-0951

EXAMINER
----------

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED: 03/19/2010

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10659199	9/10/2003	ALLEN ET AL.	BB1157 US CNT

POTTER ANDERSON & CORROON LLP  
ATTN: JANET E. REED, PH.D.  
P.O. BOX 951  
WILMINGTON, DE 19899-0951

**EXAMINER**

Anne R. Kubelik

ART UNIT	PAPER
----------	-------

1638	20100315
------	----------

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

Applicant is notified that the examiner's Answer to the Appeal Brief, once made in compliance (See attached PTO-462), will include a new rejection to address the claim to a polypeptide made part of the amendment filed 2 March 2009. If Applicant would prefer examination be reopened, Applicant should say so in response to the Notification of Non-Compliant Appeal Brief.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne R. Kubelik, Ph.D., whose telephone number is (571) 272-0801. The examiner can normally be reached Monday through Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anne Marie Grunberg, can be reached at (571) 272-0975.

The central fax number for official correspondence is (571) 273-8300.

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.

March 19, 2010

/Anne R Kubelik/  
Primary Examiner, Art Unit 1638